

EXECUTIVE OFFICE OF THE PRESIDENT  
THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508

**RECEIVED**

DEC 22 2010

The Honorable Deanna Tanner Okun  
Chairman  
United States International Trade  
Commission  
500 E Street, S.W.  
Washington D.C. 20436

Dear Chairman Okun:

DOCKET NUMBER
2775
Office of the Secretary Int'l Trade Commission

DEC 20 2010

The Trade Policy Staff Committee (TPSC) has recently decided and will announce in the *Federal Register*, the acceptance of certain petitions to grant waivers of the competitive need limitations ("CNL") for four specific products under the Generalized System of Preferences ("GSP") program. Pursuant to section 503(c)(2) of the Trade Act of 1974, if import levels of a GSP article from a beneficiary country exceed certain thresholds, or CNLs, in a calendar year, the President must terminate GSP benefits for that article from that beneficiary country. However, the President can waive the CNLs for particular articles if he receives the advice of the International Trade Commission ("Commission") on whether the waiver will adversely affect any domestic industry, determines that the waiver is in the national economic interests and publishes the determination in the *Federal Register*. Any modification to the GSP program that may result from this review is expected to be announced and become effective in the summer of 2011.

Accordingly, I request that, under the authority delegated by the President, pursuant to section 332(g) of the Tariff Act of 1930 and in accordance with section 503(c)(2)(A) of the 1974 Act, the Commission provide advice on whether any industry in the United States is likely to be adversely affected by a waiver of the CNL specified in section 503(c)(2) (A) of the 1974 Act for the country specified with respect to the articles in the enclosed Annex. I also request that the Commission provide advice as to the probable economic effect on U.S. industries producing like or directly competitive articles, on total U.S. imports, as well as on U.S. consumers. Also, please provide information as to whether like or directly competitive products were being produced in the United States on January 1, 1995. With respect to the CNL in section 503(c)(2)(A)(i)(I) of the 1974 Act, the Commission is requested to use the dollar value limit of \$145,000,000.

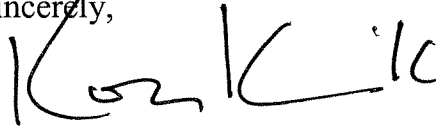
In accordance with USTR policy on implementing Executive Order 13526, as amended, entitled "Classified National Security Information" and published January 5, 2010, I direct you to mark or identify as "confidential", for a period of ten years, such portions of the Commission's report and its working papers which relate to the Commission's

advice. Consistent with the Executive Order, this information is being classified on the basis that it concerns economic matters relating to the national security. USTR also considers the Commission's report to be an inter-agency memorandum that will contain pre-decisional advice and be subject to the deliberative process privilege. I also request that you submit an outline of this report as soon as possible to enable USTR officials to provide you with further guidance on its classification, including the extent to which portions of the report will require classification and for how long. Based on this outline, an appropriate USTR official with original classification authority will provide you with written instructions. All confidential business information contained in the report should be clearly identified.

I would greatly appreciate if the requested advice, including those portions indicated as "Confidential" be provided to my Office by no later than 110 days from the receipt of this letter. Once the Commission's confidential report is provided to my Office, the Commission should issue, as soon as possible thereafter, a public version of the report containing only the unclassified information, with any business confidential information deleted.

The Commission's assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Kirk", written over the word "Sincerely,".

Ambassador Ronald Kirk

### Annex

As part of the 2010 Generalized System of Preferences (GSP) Annual Review, the Trade Policy Staff Committee has accepted petitions to waive GSP Competitive Need Limitations for the Harmonized Tariff Schedule of the United States (HTS) subheadings listed below with respect to the specified countries. The tariff nomenclature in the HTS for the subheadings listed below is definitive; the product descriptions in this list are for informational purposes only. The description below is not intended to delimit in any way the scope of the subheading. The HTS may be viewed on <http://www.usitc.gov/tata/index.htm>.

#### Petitions for granting waivers of a Competitive Need Limitation for a product on the list of eligible products for the Generalized System of Preferences

<u>Case No.</u>	<u>HTS Subheading</u>	<u>Brief Description</u>	<u>Petitioner</u>
USTR-2010-03	2922.41.00 (Brazil)	Lysine and esters	National Association of Brazilian Feed Industries (SINDIRACOES)
USTR-2010-04	4011.93.80 (Sri Lanka)	Pneumatic tires	Government of Sri Lanka
USTR-2010-05	4015.19.10 (Thailand)	Rubber gloves	Thai Rubber Glove Manufacturing Assoc.; W.A. Rubbermate Co., Ltd. Thai Chong Chemical Industrial Co. Ltd; Shun Thai Rubber Gloves Industry (Public) Co., Ltd.
USTR-2010-06	7202.99.20 (Argentina)	Calcium silicon ferroalloys	Government of Argentina